

REMARKS

In the Office Action, claims 1-24 were rejected. In view of the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections under 35 U.S.C. § 102

Claims 1-6, 10, 12-16, 17, 21 and 23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,622,441 (hereinafter "Martin"). Claims 1, 10, 12, 21, and 23 are independent.

Independent claim 1, 10, 12, 21, 23 and claims depending therefrom.

The Examiner suggested that Martin discloses the claimed method/apparatus of facilitating communication in an electrical power network. In support of this position, the Examiner cited passage that read as follows:

In the foregoing Martin circuit, the use of feedback to synthesize the desired impedance presented to the subscriber line results in a lowered value of resistance to the feed resistors and, hence, a reduction in power dissipated in the interface circuit. (Emphasis added.)

Martin, col. 1, lines 62 – col. 2 line 6:

Improper prior art citation

Applicants first respectfully submit that this passage of Martin actually refers to another document, and not to the system taught by Martin. As evident in the cited passage, power dissipated in a *foregoing Martin circuit* is discussed. Applicants respectfully submit that if the Examiner intended to base the rejection on the other prior art reference (apparently a previous Martin patent), proper rejection considering that reference in its entirety should be made.

Martin fails to teach a method/apparatus of determining quality of communication in an electrical power network.

The Examiner suggested that Martin discloses a method/apparatus of facilitating communication in an electrical power network having a complex impedance. The Examiner relied on another passage of Martin that reads:

Thereby, the invention provides for the *substantial rejection of noise* from the power supply while permitting the coupling of both AC (alternating current) and DC (direct current) to the subscriber line. In one embodiment of the invention a DC feedback path is provided by a resistor, while in an alternative embodiment of the invention, a more complex impedance element is employed in the DC feedback path to more accurately match the impedance presented by the interface circuit to that of the subscriber line.” (Emphasis added.)

Martin, col. 2, lines 58-67:

This passage from Martin indicates that any noise present in the power lines may couple to the subscriber line. Martin further discusses degradation of voice signals due to the presence of noise. Martin however *fails to teach any method or apparatus to determine quality of communication or modifying complex impedance* as recited in the independent claim 1.

Rather than determine communication quality and modify complex impedance, Martin takes an entirely different approach. Specifically, Martin proposes a method for *substantial noise rejection* from the power supply. That is, Martin intends to *avoid* noise by rejecting the noise that was apparently possible with the previous Martin circuitry. This rejection of noise, according to Martin, solves the communication degradation issue. Thus, far from determining communication quality after altering impedance, Martin does away with any need to determine quality by attempting to reject noise in the first place.

Claims 1, 10, 12, 21, 23 and claims depending therefrom are clearly patentable over Martin for reasons summarized as above.

Rejections Under 35 U.S.C. § 103

Claims 8 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Martin in view of U.S. Patent No. 6,747,569.

Claims 7, 9, 18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Martin in view of U.S. Patent No. 4,866,784.

Claims 11, 22, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Martin in view of U.S. Pub No. 2002/0080719.

Hill, Bergman, and Parkvall do nothing to obviate the deficiencies of Martin discussed above. For reasons as submitted above, then, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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